## TIPS FOR PUBLIC/OPEN MEETINGS COMPLIANCE

- 1. When a majority of the board is meeting (or even a near majority of the board) in any official capacity, consider it a "MEETING" and provide public notice consistent with the law.
  - Don't get hung up that the board doesn't intend to "take final action."
  - Or that the board may not be "appropriating public funds for expenditure."
  - On the other hand, no paranoia about a truly chance or casual meeting where board members ask/discuss a school or board issue.



- 2. Remember and honor the *PRESUMPTION* that you are doing the public's business and discussions, even disagreements, should take place in public.
- 3. "Meetings" include regular meetings, workshops, special meetings and strategic planning meetings (but not faculty meetings).
- 4. If the board intends to close a board meeting (for purposes that satisfy the statute), remember the following:
  - A public meeting must be noticed and held *first* so that the meeting can be appropriately closed by vote of the board members.
  - The board should discuss *only* issues in the closed meeting for which the meeting was closed. It is the board chair's specific and ethical responsibility not to let the discussion digress.
  - Remember that closed sessions must be recorded *except* for sessions where the topic of discussion is (1) character, competence or health of an individual or (2) security devices. Neither a recording or minutes are required for discussion of these issues.
  - Board members have an ethical obligation (to their public duty and to fellow board members) not to disclose information or matters discussed in a closed meeting.
- 5. What to do if a member of the public (or a board member?) raises an issue in the course of board discussion about a topic that was not listed on the meeting agenda?
  - At the discretion of the chair, the discussion may continue.
  - No "final action" may be taken.

## 6. Emergency meetings

- Matter(s) must be of an "emergency" or "urgent" nature.
- Allowed with less than 24 hours public notice.
- As much notice as "practicable."
- An attempt has been made to notify all members of the p
- A majority of the members of the pubic body approve the

## 7. Electronic meetings



8. Actions taken by a board in violation of the public and open meetings provisions are *voidable*, not completely void. A violation by a public officer is a Class B misdemeanor.

